

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

MOOG INC.,

Plaintiff,

vs.

SKYRYSE, INC., ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1 – 50,

Defendants.

Case No.: 1:22-cv-00187

**NOTICE OF DEFENDANTS ROBERT  
ALIN PILKINGTON AND MISOOK  
KIM'S MOTION TO DISMISS FOR LACK  
OF PERSONAL JURISDICTION OR  
IMPROPER VENUE OR, IN THE  
ALTERNATIVE, FOR CHANGE OF  
VENUE TO THE CENTRAL DISTRICT  
OF CALIFORNIA; AND NOTICE OF  
JOINDER IN DEFENDANT SKYRYSE,  
INC.'S MOTION TO DISMISS COUNTS  
VI, IX AND X OF THE COMPLAINT  
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

**TO:** Clerk of Court  
United States District Court for the Western District of New York

**PLEASE TAKE NOTICE** that on a date and time to be determined by the Court, the undersigned counsel for Defendants, Robert Alan Pilkington (“Pilkington”) and Misook Kim (“Kim”), shall move this Court at the United States District Court of the Western District of New York, United States District Courthouse, 2 Niagara Square, Buffalo, New York 14202, for an Order dismissing the complaint of plaintiff Moog Inc. pursuant to Fed. R. Civ. P. 12(b)(2) (lack of subject matter jurisdiction) and 12(b)(3) (improper venue), or, in the alternative, for a transfer of venue to the Central District of California pursuant to 28 U.S.C. § 1404(a), and granting such other and further relief as the Court deems just and proper.

Additionally, Defendants Pilkington and Kim join in the motion to dismiss Counts VI, IX and X of the complaint pursuant to Fed. R. Civ. P. 12(b)(6) that was submitted by co-defendant Skyryse, Inc. (“Skyryse”) and hereby rely on the Memorandum of Law submitted by Skyryse in support of that motion.

**PLEASE TAKE FURTHER NOTICE** that in support of the Motion to Dismiss, Defendants Pilkington and Kim will rely on the accompanying Memorandum of Law and Declarations of Robert Alan Pilkington and Misook Kim.

**PLEASE TAKE FURTHER NOTICE** that unless otherwise provided for by the Court, answering papers, if any, to Pilkington and Kim's motion shall be served and filed within 14 days of service of the moving papers pursuant to Local Rule 7(b)(2)(B).

**PLEASE TAKE FURTHER NOTICE** that unless otherwise provided for by the Court, reply papers, if any, shall be served and filed within 7 days of service of the answering papers pursuant to Local Rule 7(b)(2)(B).

**PLEASE TAKE FURTHER NOTICE** that Defendants Pilkington and Kim request oral argument.

Dated: March 29, 2022  
New York, New York

Respectfully submitted,

LOCKE LORD LLP

/s/ Joseph N. Froehlich

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*Attorneys for Defendants, Robert Alan Pilkington  
and Misook Kim*

**CERTIFICATE OF SERVICE**

I, Joseph N. Froehlich, hereby certify that on March 29, 2022 a copy of this motion and all accompanying papers were served upon all counsel registered to appear in this matter via the Court's ECF system.

Dated: March 29, 2022

/s/ Joseph N. Froehlich  
Joseph N. Froehlich